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6 || Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 GIL CROSTHWAITE, et al., as Trustees of the
12 OPERATING ENGINEERS HEALTH AND
13 WELFARE TRUST FUND FOR NORTHERN
CALIFORNIA; et al.,

Case No.: C08-0680 PJH

14 || Plaintiffs

Date: May 8 2008

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V

Time: 2:30 p.m.

17 HAMMAN'S INC., and JAMES DEAN HAMMAN

Courtroom: 3, 17th Floor

18 Defendants

Judge: The Honorable Phyllis J. Hamilton

21 Plaintiffs respectfully request that the Case Management Conference currently scheduled
22 for May 8, 2008, at 2:00 p.m., be continued for approximately 30-60 days, as follows:

23 1. A Complaint was filed in this action on January 29, 2008.

24 2. Defendants failed to appear or defend the action, and the clerk entered default in
25 favor of Plaintiffs on March 6, 2008.

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REQUEST FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE
Case No.: C08-0680 PJH

3. Although defendants did not appear in this action, defendants agreed to discuss settlement to satisfy all amounts due. The terms of the settlement are currently being worked out between the parties.

4. Plaintiffs therefore request that the Case Management Conference be continued for approximately 30-60 days, and that all other dates and deadlines in this action be vacated and continued, to allow the parties to draft and execute the necessary documents to resolve this action. In the event that defendants have not signed a Settlement Agreement by that date, plaintiffs will file a Motion for Default Judgment.

I declare under penalty of perjury that I am the attorney for the plaintiffs in the above entitled action, and that the foregoing is true to the best of my knowledge and belief.

Executed this 24th day of April, 2008 at San Francisco, California.

SALTZMAN & JOHNSON
LAW CORPORATION

By: _____ /s/ _____
Michele R. Stafford
Attorneys for Plaintiffs

IT IS SO ORDERED.

The Case Management Conference in this action is hereby continued to July 3 2008 at 2:30 p.m. A Case Management Statement shall be filed by June 26 2008. All calendar dates and deadlines are hereby vacated, to be reset at the Case Management Conference.

Dated: 4/29/08



1 **PROOF OF SERVICE**

2 I, the undersigned, declare:

3 I am a citizen of the United States and am employed in the County of San Francisco, State
4 of California. I am over the age of eighteen and not a party to this action. My business address is
5 120 Howard Street, Suite 520, San Francisco, California 94105.

6 On April 25, 2008, I served the following document(s):

7 **REQUEST FOR CONTINUANCE OF
8 CASE MANAGEMENT CONFERENCE**

9
10 on the interested parties in said action by placing a true and exact copy of each document in a
11 sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San
12 Francisco, California, addressed as follows:

13
14 **James D. Hamman
Agent for Service of Process
Hamman's Inc.
9550 Occidental Road
Sebastopol, California 95472**

15 **James D. Hamman
9550 Occidental Road
Sebastopol, California 95472**

16
17 I declare under penalty of perjury that the foregoing is true and correct and that this
18 declaration was executed on this 25th day of April, 2008, at San Francisco, California.

19
20 _____/s/_____

21 **Vanessa de Fábrega**

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27
28 **REQUEST FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE
Case No.: C08-0680 PJH**